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6 Attorneys for Plaintiff
7 United States of America

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 07CR3473-DMS
11)
Plaintiff,) UNITED STATES' MOTION TO
12) DISMISS INDICTMENT
v.) WITHOUT PREJUDICE
13)
BENJAMIN HERNANDEZ-MORA,)
14)
Defendant.)
15 _____)

16 COMES NOW, the plaintiff, UNITED STATES OF AMERICA, by and
17 through its counsel, Karen P. Hewitt, United States Attorney and
18 Nicole A. Jones, Assistant United States Attorney, and hereby moves
19 to dismiss without prejudice the indictment against defendant Benjamin
20 Hernandez-Mora.

21 DATED: February 11, 2008.

22 Respectfully submitted,

23 KAREN P. HEWITT
United States Attorney

24
25 /s/ Nicole A. Jones
26 NICOLE A. JONES
27 Assistant U.S. Attorney
28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 07CR3473-DMS
)
Plaintiff,)
)
v.)
) CERTIFICATE OF SERVICE
BENJAMIN HERNANDEZ-MORA,)
)
Defendant.)
_____)

IT IS HEREBY CERTIFIED THAT:

I, Nicole A. Jones, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of United States' **Motion to Dismiss Indictment Without Prejudice** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Greg Murphy, Federal Defenders

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

None

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 11, 2008.

/s Nicole A. Jones
NICOLE A. JONES
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